

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THOMAS M. KELLEY,
Plaintiff,

v.

Civil Action No. 05-10596-NMG

TOWN OF PLYMOUTH, et al
Defendants.

ASSENTED MOTION TO CONTINUE TRIAL DATE

The Plaintiff in the above-captioned matter moves to reschedule the trial date set by the Court on July 10, 2007, for September 17, 2007 at 9:00 a.m. We anticipate a trial will take about 10 days. As grounds therefore Plaintiff's counsel has a criminal trial scheduled to begin on September 20, 2007, in the Plymouth District Court, Commonwealth of Massachusetts v. Derek O. Boyer, Jr., Cr. No. 0659CR03340. In addition, Counsel for the Plaintiff has a trial in the United States District Court, scheduled for Pre-Trial on November 1, 2007, with the trial to begin on November 12, 2007, in the case of Dianne DuLong v. John E. Potter, Postmaster General, C.A. No. 04-12552.

Attorney Jeremy Silverfine, counsel for the Defendants, has a two week trial scheduled to begin on September 24, 2007, a one week trial scheduled to begin on October 22, 2007, and a one week trial scheduled to begin on November 5, 2007.

Both parties are available for trial beginning either the week of December 3, 2007, or the week of December 10, 2007.

Wherefore, the Plaintiff requests that a Trial be scheduled to begin either the week of December 3, 2007, or December 10, 2007, with a pre-trial conference date set accordingly, if said dates are available with the Court.

Dated: July 13, 2007

Respectfully Submitted,
The Plaintiff,
by his attorneys,

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Assented to:
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